

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

A. KAMI COLE and ANDREA)
BANDERAS,)
)
Plaintiffs,)
) CIVIL ACTION FILE
v.)
) NO. 1:11-CV-00629-WSD-JFK
EOS CCA,)
)
Defendant.)

PLAINTIFFS' INITIAL DISCLOSURES

1. State precisely the classification of the cause of action being filed, a brief factual outline of the case, including Plaintiffs' contentions as to what Defendant failed to do, and a succinct statement of the legal issues in the case:

This is a claim under the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, et seq., in which Plaintiff Coke alleges that the Defendant disclosed the existence of her debt to an unauthorized third party. Plaintiff Banderas (the third party) alleges that she requested that Defendant cease and desist from contact with her but that Defendant continued to call.

2. Describe in detail all statutes, codes, regulations, legal principles, standards, customs or usages and illustrative case law which Plaintiffs contend are

applicable to this action. The FDCPA sets out in detail rules and proscribed conduct for debt collection agencies.

3. Provide the name and, if known, the address and telephone number of each individual likely to have discoverable information that you may use to support your claims or defenses unless solely for impeachment, identifying the subjects of the information. (**Attach witness list to Initial Disclosures as Attachment A.)**

4. Provide the name of any person who may be used at trial to present evidence under Rules 702, 703 or 705 of the Federal Rules of Evidence. For all experts described in Fed.R.Civ.P. 26(a)(2)(B), provide a separate written report satisfying the provisions of that rule. (**Attach expert witness list and written reports to Initial Disclosures as Attachment B.)**

5. Provide a copy of, or a description by category and location of, all documents, data compilations and tangible things in your possession, custody or control that you may use to support your claims or defenses unless solely for impeachment, identifying the subjects of the information. (**Attach document list and descriptions to Initial Disclosures as Attachment C.)**

6. In the space provided below, provide a computation of any category of damages claimed by you. In addition, include a copy of, or describe by category and location of, the documents or other evidentiary material, not privileged or

protected from disclosure, on which such computation is based, including materials bearing on the nature and extent of injuries suffered, making such documents or evidentiary material available for inspection and copying as under Fed.R.Civ.P. 34.

(Attach any copies and descriptions to Initial Disclosures as Attachment D.)

7. Attach for inspection and copying as under Fed.R.Civ.P. 34 any insurance agreement under which any person carrying on an insurance business may be liable to satisfy part or all of a judgment, which may be entered in this action or to indemnify or reimburse for payments made to satisfy the judgment.

(Attach copy of insurance agreement to Initial Disclosures as Attachment E.)

8. Disclose the full name, address and telephone number of all persons or legal entities who have a subrogation interest in the cause of action set forth in Plaintiffs' cause of action and state the basis and extent of such interest. *None known to Plaintiffs.*

This 20th day of May, 2011.

/s/ John C. Forbes, Jr.
JOHN C. FORBES, JR.
Georgia Bar No. 267709

Attorney for Plaintiff

THE LAW OFFICES OF MARK A. CAREY, P.C.
925-B Peachtree Street, N. E.
#307
Atlanta, Georgia 30309-9910
(678) 341-5550

ATTACHMENT A

Witness List

*A. Kami Cole
1360 Hampton Hall Road
Atlanta, Georgia 30319*

*Andrea Bandera
1360 Hampton Hall Road
Atlanta, Georgia 30319*

ATTACHMENT B

Expert Witnesses

None

ATTACHMENT C

Document List

Plaintiffs intend to rely upon their individual testimony and are not currently in possession of tangible material.

ATTACHMENT D
Computation of Damages

Plaintiffs' claim statutory damages of One Thousand and No/100 Dollars (\$1,000) each as provided for in the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.*, as well as actual damages in an amount to be determined by a jury.

ATTACHMENT E
Copy of Insurance Agreement

Not applicable

CERTIFICATE OF SERVICE

This is to certify that I have this day served all parties in the foregoing action with the foregoing Plaintiffs' Initial Disclosures by depositing a copy of same in the United States Mail, with adequate postage thereon, properly addressed as follows:

John H. Bedard
Bedard Law Group, P.C.
2810 Peachtree Industrial Boulevard
Suite D
Duluth, Georgia 30097

This 20th day of May, 2011.

/s/ John C. Forbes, Jr.
JOHN C. FORBES, JR.
Georgia Bar No. 267709

Attorney for Plaintiff

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